

**MEDICAL LICENSING BOARD OF INDIANA
INDIANA GOVERNMENT CENTER SOUTH
402 WEST WASHINGTON STREET
ROOM W064
INDIANAPOLIS, INDIANA 46204**

MINUTES OF MARCH 24, 2011

Stephen Huddleston, J.D., President called the meeting to order at 9:35 a.m. and declared a quorum in accordance with IC 25-22.5.

Members Present: Stephen Huddleston, J.D., Consumer
Member, President
Robert Allen, M.D.
Donald Vennekotter, M.D., Secretary
Lynda Smirz, M.D.
Bharat Barai, M.D., Vice President

Members Absent: Worthe Holt, Jr., M.D.

Staff Present: Kristen Kelley, Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
James Schmidt, Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda as amended.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Barai/Vennekotter, 5/0/0
Motion carries

The Board voted to adopt the minutes of the February 24, 2011 meeting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Allen/Barai, 5/0/0
Motion carries

PERSONAL APPEARANCES

The following scheduled personal appearance was continued:

Debessai Assenni, M.D.

The following appeared before the full Board for their personal appearances and were sworn in under oath:

Susan Anderson, M.D. – Dr. Anderson appeared before the Board regarding positive responses on her initial application for licensure and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Brian Larson, President Broncor Corporation appeared on behalf of Dr. Anderson.

Dr. Anderson originally applied for licensure in Indiana in October 2009. After reviewing her application, the Board requested a personal appearance. Dr. Anderson was requested to appear approximately 4 times and never appeared or responded. The Board then denied her application due to her not appearing to explain her circumstances.

Dr. Anderson's privileges for reading EEG's were suspended at Northern Michigan Hospital.

Last month, the Board tabled this matter and requested additional information from the State of Michigan, Department of Community Health.

The Board received the additional information from the Department of Community Health which identified the file #9802 that was referenced in their original letter. The document stated that the above mentioned file was concerning the suspension at Northern Michigan Hospital and that it was closed following investigation and expert review, based on a determination that no violation of Michigan Public Health Code could be substantiated with the information presented.

After discussion, the Board moved to APPROVE Dr. Anderson for licensure.

Smirz/Barai, 5/0/0
Motion carries

Gholamreza Shareghi, M.D. – Dr. Shareghi appeared before the Board regarding positive responses on his initial application for licensure and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Charles Bianchi, M.D., retired hospitalist appeared on behalf of Dr. Shareghi.

Dr. Shareghi's Michigan license verification indicated that he was placed on probation for a period of six (6) months. The probation was withdrawn effective January 5, 2009. The verification also indicates that Dr. Shareghi has an open formal complaint.

Dr. Shareghi appeared at the February meeting regarding his file. The Board tabled his application and requested that staff obtain official documents from the State of Michigan regarding the 'open formal complaint'.

Dr. Shareghi's license in Michigan is Limited for a minimum period of one (1) year and is also placed on Probation for a minimum period of one (1) year with terms and conditions.

After discussion Dr. Shareghi requested to withdraw his application for licensure. The Board moved to APPROVE Dr. Shareghi's request to WITHDRAW.

Allen/Smirz, 5/0/0
Motion carries

Christiane Machado, M.D. – Dr. Machado appeared before the Board regarding a waiver of the two (2) years post graduate training from an approved program and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

IC 25-22.5-3-2(2) states "submits evidence satisfactory to the board that prior to passing the examination the applicant has successfully completed a minimum of at least two (2) years of post graduate training in a hospital or an institution located in the US or Canada which meets the standards approved by the nationally recognized medical or osteopathic accrediting bodies in the US, for the purpose of graduate training which is approved by the Board;..." The Board accepts programs approved by Accreditation Council for Graduate Medical Education (ACGME); Executive Committee of the Council on Postdoctoral Training of the American Osteopathic Association (AOA) or Royal College of Physicians and Surgeons of Canada (RC).

Jeffrey Travers, M.D., Ph.D., Professor and Former Chair of Dermatology, Professor of Pharmacology and Toxicology, Indiana University School of Medicine appeared on behalf of Dr. Machado.

After discussion, the Board moved to GRANT the waiver of the two (2) years post graduate training from an approved program rule based upon the following:

- Appearance of Jeffrey Travers, M.D., Ph.D., Professor and Former Chair of Dermatology Professor of Pharmacology and Toxicology, Indiana University School of Medicine on her behalf.
- Eight (8) years of practice in Brazil.
- Board certification in Brazil.
- Passed all three steps of the USMLE on the first attempt with high scores.
- Three (3) year employment contract with IUSOM Department of Dermatology. Employer agrees to send yearly letters regarding Dr. Machado's practice.
- Will practice in Wishard Hospital Clinics which serve the indigent in underserved areas.
- Letters of reference from the following:
 1. D. Craig Brater, M.D., Dean & Walter Daly Professor, Indiana University School of Medicine; Vice President for University Clinical Affairs, Indiana University School of Medicine.
 2. Jeffrey Travers, M.D., Professor and Former Chair of Dermatology, Professor of Pharmacology and Toxicology, Indiana University School of Medicine.
 3. Elliot Androphy, M.D., Kampen-Norins Professor and Chair, Department of Dermatology, Indiana University School of Medicine.
 4. Lisa Harris, M.D., CEO and Medical Director, Wishard Health Services
 5. Stephen Wolverton, M.D., Theodore Arlook Professor of Clinical Dermatology, Indiana University Department of Dermatology.
 6. Nico Mousdicas, MBCHB, MMED, M.D., Director Contact Dermatitis Center and Clinical Associate Professor, Department of Dermatology, Indiana University School of Medicine.
 7. Lawrence Mark, M.D., PhD., Assistant Professor of Dermatology Charles Lewis Investigator, Wishard Dermatology Service Chief, Indiana University School of Medicine.

Barai/Smirz, 5/0/0
Motion carries

Mark Choi, M.D. – Dr. Choi appeared before the Board regarding a waiver of the USMLE three (3) attempts rule and was represented by counsel Brian Betner.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

844 IAC 4-4.5012(2) states "An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the exam, the applicant must obtain a passing score."

Dr. Choi passed the USMLE Step III on the 4th attempt.

John Hassewinkle, M.D., President ACI appeared on behalf of Dr. Choi.

After discussion the Board moved to GRANT the waiver of the USMLE three (3) attempts rule based upon the following:

- Appearance of John Hasewinkle, M.D., President ACI
- Letter from Amy Wallace indicating a three (3) year commitment to serve the indigent and underserved at Shepherd Community Center. Employer agrees to submit yearly letter regarding Physician's status.
- Two (2) year commitment to serve at Anesthesia Consultants Inc., (ACI) which covers the Indiana University Health Systems, including Methodist which is a level one (1) Trauma center serving the underserved/indigent. Employer agrees to submit yearly letter regarding Physician's status.
- Passed the USMLE step I and step II on the first attempt.
- Completing Residency program at Indiana University School of Medicine.
- Letters of recommendation from the following:
 1. Eugene Presto, D.O., Assistant Professor of Pediatric Anesthesiology, Riley Hospital for Children/Indiana University.
 2. Amy Wallace, Family Ministries Team Leader, health Initiatives Coordinator, Shepherd Community Center.
 3. Sanjay Gupta, M.D., Roudebush VA Medical Center.
 4. Kenneth Gwirta, M.D., Chief, Anesthesia Department, Roudebush VAMC, Indianapolis (2005-present); Past member of VA Anesthesia Field Advisory Committee, Washington D.C. (2006-2008); Professor of Anesthesia, IUSOM; Former, Interim Chairman, Department of Anesthesia IUSOM (2005-2007); Former, Anesthesia Program Residency Director, IUSOM (1999-2005); Founding Director, Acute Pain Service, IUSOM (1989).
 5. John Hasewinkel, M.D., Associate Professor of Clinical Anesthesiology, Indiana University School of Medicine, Chief of Anesthesia Wishard Health Services.

Barai/Vennekotter, 5/0/0
Motion carries

Rocio Ahuja, M.D. – Dr. Ahuja appeared before the Board regarding a request for a waiver of her disapproved medical school and was represented by counsel Kendra Conover.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Mark Sandock, M.D., was sworn in as a witness for Dr. Ahuja.

IC 25-22.5-3-1(c) states "The applicant shall possess the degree of doctor of medicine or doctor of osteopathy or its equivalent from a medical school which was approved by the board as of the time the degree was conferred".

844 IAC 4-4.5-3(b) states "In order to be approved by the board for the purpose of obtaining a license or permit, a school of medicine or school of osteopathic medicine located outside the United States, its possessions, or Canada must maintain standards equivalent to those adopted by:

- (1) The Liaison Committee on Medical Education, Functions and Structure of a Medical School, Standards for Accreditation of Medical Education Programs Leading to the M.D. degree, 2001; or

(2) The Bureau of Professional Education of the American Osteopathic Association, Accreditation of Colleges of Osteopathic Medicine, 2001.”

Dr. Ahuja obtained her medical degree from St. Matthew's which is on Indiana's disapproved medical school list as of 2002 and has been on California's disapproved medical school list since 2005 and reconfirmed by California in 2010.

Dr. Ahjua submitted documentation and testimony for a waiver of her medical school.

During discussion, the Board made it very clear they would not grant a waiver of a medical school that is on Indiana's and California's disapproved list.

Dr. Ahjua requested to withdraw her application.

The Board moved to APPROVE Dr. Ahjua's request to WITHDRAW her application for licensure.

Allen/Smirz, 5/0/0
Motion carries

ADMINISTRATIVE HEARINGS

The following administrative hearings were continued:

Navneet Adya, M.D., License No. 01050213A, Cause No. 2001 MLB 0006
Ashwani Duggal, M.D., License No. 01047610A, Cause No. 2010 MLB 0006

Richard Carr, M.D., License No. 01057827A, Cause No. 2009 MLB 0006

Respondent did appear in person and was not represented by counsel regarding a Request for Modification of the Order of Probation scheduled before the Board. The State of Indiana was represented by Andrea White, Certified Legal Intern and Michael Minglin, Senior Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Candace Backer, Indiana State Medical Association was sworn in as a witness for the Respondent.

Dr. Carr is requesting to increase his work hours from thirty (30) per week to forty (40) per week.

Respondent is in compliance with all terms of his probationary order.

Ms. Backer testified that Dr. Carr is doing well with his recovery and they support his request to increase his work hours to forty (40) hours per week.

His sobriety date is June 26, 2009.

After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter, the Board moved to APPROVE Dr. Carr's request to modify his Order of Probation. Specifically the number of work hours will be changed from thirty (30) to forty (40).

Barai/Allen, 5/0/0
Motion carries

William G. Chernoff, M.D., License No. 01040295A, Cause No. 2006 MLB 0003

Respondent did appear in person and was represented by counsel Stacy Cook regarding a Request to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was represented by Andrea White, Certified Legal Intern and Michael Minglin, Senior Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Dr. Chernoff has successfully completed all terms of his probationary order.

After having considered the evidence presented and taking official notice of its file in this matter, the Board moved to WITHDRAW the Order of Probation.

Smirz/Allen, 5/0/0
Motion carries

Thomas M. Horiagon, M.D., License No. 01065070A, Cause No. 2011 MLB 0001

Respondent did not appear in person and was not represented by counsel regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Thomas McGee, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Mr. McGee requested a continuance of this matter.

After discussion and taking its file into consideration, the Board moved to
CONTINUE this matter until the April 2011 meeting.

Allen/Smirz, 5/0/0
Motion carries

**Godrey Ugochukwu Mbonu, M.D., License No. 01066550A, Cause No. 2011
MLB 0002**

Respondent did not appear in person and was not represented by counsel
regarding a Disciplinary Hearing scheduled before the Board. The State of
Indiana was represented by Thomas McGee, Deputy Attorney General and the
court reporter sworn in for this matter was Sherri Rutledge with Rutledge
Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Mr. McGee requested a continuance of this matter.

After discussion and taking its file into consideration, the Board moved to
CONTINUE this matter until the April 2011 meeting.

Vennekotter/Allen, 5/0/0
Motion carries

**Addie Hilda Robinson-Grim, M.D., License No. 01055799A, Cause No. 2011
MLB 0004**

Respondent did not appear in person and was represented by counsel David
Becsey regarding a Proposed Settlement Agreement scheduled before the
Board. The State of Indiana was represented by Thomas McGee, Deputy
Attorney General and the court reporter sworn in for this matter was Sherri
Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.
Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

A settlement agreement between the Respondent, her counsel and the Attorney
General's Office was presented to the Board. The settlement agreement
included a LETTER OF REPRIMAND. The Board imposed a \$250 FINE.

After reviewing the settlement agreement and taking its file into consideration, the Board moved to APPROVE the agreement.

Vennekotter/Barai, 5/0/0
Motion carries

Gregory Lee Spangler, M.D., License No. 01028174A, Cause No. 2010 MLB 0010

Respondent did appear in person and was represented by counsel Barclay Wong regarding an Agreement for Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Michael Minglin, Senior Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

A settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The settlement agreement included a SUMMARY SUSPENSION until the April Board meeting.

After reviewing the agreement and taking its file into consideration, the Board moved to APPROVE the settlement agreement.

Barai/Allen, 5/0/0
Motion carries

Jennifer Wilson, M.D., License No. 01063111A, Cause No. 2008 MLB 0032

Respondent did appear in person and was represented by Counsel Mary Watts regarding a Request to Withdraw Order of Probation. The State of Indiana was represented by Andrea White, Certified Legal Intern and Michael Minglin, Senior Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Dr. Wilson has completed all terms of her probationary order.

After having considered the evidence presented and taking its file into consideration, the Board moved to APPROVE the WITHDRAWAL of PROBATION.

Allen/Barai, 5/0/0
Motion carries

Geri Dharma Rose Defrese, D.O., License No. 02001899A, Cause No. 2001 MLB 0013

Respondent did appear in person and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Michael Minglin, Senior Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Fred Frick, M.D., was sworn in as a witness to testify for the State.

Alan Ferreria, Psychologist and Aaron Robinson, Health Care Administrator were sworn in as witnesses for the Respondent.

Dr. Frick testified that the Respondent entered a five (5) contract with ISMA on February 3, 2010 after two incidents involving alcohol. He stated that she withdrew from the program on February 11, 2011. During her 1 year with ISMA she had seven (7) missed urine drug screens and several dilute screens. He indicated he could not comment on her safety to practice but could only comment on her non-compliance with her ISMA contract.

Dr. Defrese told the Board that the last time she consumed alcohol was on January 17, 2010. She also stated that she has had therapy on and off for the past thirty (30) years.

Dr. Defrese's North Carolina license was denied due to the fact that she did not inform them of an Operating While Intoxicated conviction that she received.

Her Hawaii license is restricted and she is not able to practice unless she enters an Impaired Physician's program with them.

After having considered the evidence presented, testimony of the witnesses and taking official notice of its file in this matter, the Board moved to place the license on SUMMARY SUSPENSION for ninety (90) days. They also requested that the Respondent obtain a psychiatric evaluation by a Board Certified Psychiatrist performed within the next sixty (60) days and have the report sent to the Board.

Vennekotter/Smirz, 3/1/1, with Dr. Allen objecting and Dr. Barai abstaining
Motion carries

Joseph Koenigsmark, D.O., License No. 02001067A, 2008 MLB 0030

Respondent did appear in person and was represented by counsel regarding a Request to Withdraw the Order of Probation and a Disciplinary Hearing

scheduled before the Board. The State of Indiana was represented by Thomas McGee, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D. Donald Vennekotter, M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Dr. Koenigsmark's Kentucky license was placed on suspension for failing to supervise a Nurse Practitioner and for prescribing to family members. Based upon this action, our Board placed his license on Indefinite Probation.

Recently Kentucky has taken further action. They revoked his license as he is not in compliance with payments toward the \$22,000 fine issued.

Dr. Koenigsmark has requested to have his probation withdrawn and the Attorney General's Office filed a disciplinary hearing request based upon Kentucky's recent additional action.

After further discussion the Board deemed that the Disciplinary Hearing should be the same cause number as the probationary order. He violated his Kentucky order therefore he violated his Indiana probation order. This should then be considered an Order to Show Cause versus a Disciplinary Hearing.

The Board moved to dismiss the Complaint and set this matter for an Order to Show Cause at the the April Board meeting.

Barai/Smirz, 5/0/0
Motion carries

After further discussion, the Board moved to CONTINUE the request for withdrawal of probation until the April Board meeting.

Barai/Allen, 5/0/0
Motion carries

DISCUSSION

Deborah Provisor, M.D. – Request for relinquishment of license: Dr. Provisor is currently on Indefinite Probation with terms and conditions. She wrote a letter to the Board asking for retirement status.

After discussion, the Board moved to APPROVE her request for Retirement Status. The Board also stated that should she request to come off of retirement status she would need to appear before the Board and that her current probationary terms would be reinstated and possibly new ones added.

CONSENSUS
Motion carries

Acupuncture Rule Revision – this was continued to the April meeting.

Correspondence from R. Stanley Wilson, M.D. – FYI

Public Citizens Advocacy Report - FYI

REVIEW OF INITIAL/RENEWAL APPLICATIONS

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.,
Lynda Smirz, M.D., Donald Vennekotter, M.D., Bharat Barai, M.D.

The Board reviewed the positive response information on the following applicants
and approved them for licensure: CONSENSUS

Kirsten Kahle, M.D. Ramesh Pundi, M.D. Michael Darosa, M.D.

The Board reviewed the positive response information on the following applicants
and requested them to appear before the Board: CONSENSUS

Carlos Malave, M.D. Shoshana Levy, M.D.

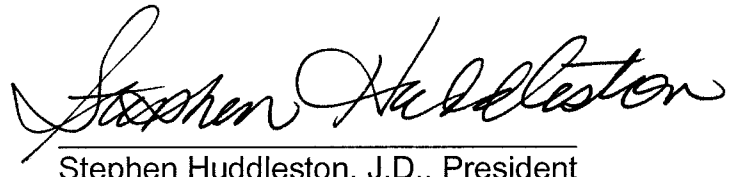
PHYSICIAN ASSISTANT PRESCRIPTIVE AUTHORITY APPLICATIONS

The Board reviewed and approved the following Physician Assistant Prescriptive
Authority applications: Smirz/Vennekotter, 5 /0/0 Motion carries

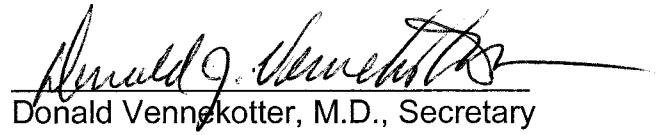
Participating Board Members: Stephen Huddleston, J.D., Worthe Holt, Jr., M.D.,
Lynda Smirz, M.D., Robert Allen, M.D., Donald Vennekotter, M.D., Bharat Barai,
M.D.

Sarah Eli, 10000807A
Kristen Ziel, 10001264A
Valerie Stogdill, 10000147A
Brittany Labonte, 10001126A
Cory Martin, 10001138A
Sarah Wheeler, 10001139A

There being no further business the Board adjourned at 4:20 p.m.

A handwritten signature in cursive script, reading "Stephen Huddleston".

Stephen Huddleston, J.D., President

A handwritten signature in cursive script, reading "Donald Vennekotter".

Donald Vennekotter, M.D., Secretary